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MARTIN & FERRARO, LLP  
1557 Lake O'Pines Street, NE  
Hartville, Ohio 44632

Telephone  
(330) 877-0700

Facsimile  
(330) 877-2030

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TO:

FROM:

Name: Art Unit 3732/Examiner Cary O'Connor

Name: Thomas H. Martin, Esq.

Firm: U.S. Patent & Trademark Office

Phone No.: 330-877-2277

Fax No.: 703-872-9306

No. of Pages (including this): 19

Subject: U.S. Patent Application No. 10/047,122  
John I. Shipp et al.

Date: June 29, 2004

Filed: January 15, 2002

Confirmation Copy to Follow: NO

INSTRUMENTS AND METHODS FOR USE IN  
LAPAROSCOPIC SURGERY

Attorney Docket No. 115.0001-00000

Customer No. 22882

Confirmation No.: 9694

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that the attached Transmittal Form (in duplicate; \$640.00 total fee to cover the \$475 three month extension fee and \$165 Notice of Appeal fee is to be charged to Deposit Account No. 50-1068), Notice of Appeal, and Amendment After Final are being facsimile transmitted to the U.S. Patent and Trademark Office on June 29, 2004.

  
Sandra L. Blackmon

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FORM PTO-1083

Attorney Docket No.: 115.0001-00000  
Customer No. 22882

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: )  
 John I. Shipp et al. )  
 Serial No.: 10/047,122 )  
 Filed: January 15, 2002 )  
 For: INSTRUMENTS AND METHODS )  
 FOR USE IN LAPAROSCOPIC )  
 SURGERY )

Confirmation No.: 9694  
 Group Art Unit: 3732  
 Examiner: Cary O'Connor

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a reply to the Office Action dated December 30, 2003 in the above-identified application.

- ☐ No additional fee is required.  
☒ Applicant hereby requests a three-month extension of time to respond to the above Office Action.  
☒ A Notice of Appeal is enclosed.

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA*	LG/SM \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	94	-	110	0	LG=\$18 SM=\$9	\$9	\$ 0
INDEPENDENT CLAIMS FEE	12	-	15	0	LG=\$86 SM=\$43	\$43	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS					LARGE ENTITY FEE = \$290 SMALL ENTITY FEE = \$145		\$ 0
TOTAL							\$ 0

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box on Col. 1 or a prior amendment or the number of claims originally filed.

- ☒ A fee in the total amount of \$640.00 (to cover the \$475.00 three-month extension of time fee and \$165 Notice of Appeal fee) is to be charged to Deposit Account No. 50-1068.  
☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1368. A copy of this sheet is enclosed.  
☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims  
☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,  
 MARTIN & FERRARO, LLP

Date: June 29, 2004

By: 

Thomas H. Martin  
 Registration No. 34,383

1557 Lake O'Pines Street, NE  
 Hartsville, Ohio 44632  
 Telephone: (330) 877-0700  
 Facsimile: (330) 877-2030